



**PATENT
DOCKET No. 1878**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Forrest B. Phillips

Serial No.: 09/819,256

Art Unit: 3712

Filed: March 27, 2001

Examiner: Fenn C. Mathew

For: Sliding Exercise Apparatus and Recreational Device

Napa, California 94559

RESPONSE TO OFFICE COMMUNICATION MAILED SEPTEMBER 30, 2003

**Commissioner for Patents
Alexandria, VA 22313-1450**

**RECEIVED
NOV 29 2004
TECHNOLOGY CENTER R3700**

Dear Sirs:

Forrest B. Phillips, inventor of the above-identified application and referred to herein as Applicant, hereby replies under 37 CFR 1.142 to the Office communication, mailed May 4, 2004, regarding the Restriction Requirement mailed September 30, 2003, as follows:

Applicant again elects without traverse Group I corresponding to Figures 1, 2, 3, 4, 9, 10, 11, 13 and 15 of the application. Applicant again notes that Figure 5, alleged by the Examiner to be in Group I, is directed to a sports board and thus primarily is a riding element rather than an activity center.

Applicant elects the species disclosed in Figure 1 for prosecution on the merits. Claims 1, 2, 3, 5, 6, 7, 8, 10, 16, 17 and 88 are readable on this species.

Respectfully submitted,

Dated: November 18, 2004

By *Donald Diamond*
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Team 4

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

2

Application Number

09/819,256

Filing Date

March 27, 2001

First Named Inventor

Forrest B. Phillips

Art Unit

3712

Examiner Name

F.C. Mathew

Attorney Docket Number

1878

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

Remarks

Election of Species and claims readable thereon.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Donald Diamond

Signature

Donald Diamond

Printed name

Donald Diamond

Date

November 18, 2004

Reg. No.

18,771

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Donald Diamond

Typed or printed name

Donald Diamond

Date

November 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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